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Circular: 0006/2019

Expiry date: None

To: Deputy Directors-General, Chief Directors, Directors, Circuit Managers, Heads of all educational institutions and Chairpersons of governing bodies

Short summary: *Conversion of the employment of Post Level 1 educators from temporary to permanent in terms of section 6(b) of the Employment of Educators Act, 1998.*

Subject: Conversion of the employment of Post Level 1 educators from temporary to permanent in terms of section 6(b) of the Employment of Educators Act, 1998

1. This circular has been revised and repeals Circular 0055/2015 in its entirety.
2. Section 6(b) of the Employment of Educators Act (EEA), 1998 (Act 76 of 1998), makes provision for the conversion of the appointment status of educators from temporary/contract to permanent.
3. A temporary educator is an educator who is currently appointed in an **approved substantive vacant Post Level 1 post in a temporary capacity for a closed period**. This definition does not apply to educators appointed in vacant substantive promotion posts in an acting capacity, or to substitutes for permanently employed educators who are absent from duty, for whatever reason.
4. Educators who have already had the opportunity of an extensive career in education, i.e. those who have retired (in any category), been discharged due to ill-health, taken a severance package of whatever nature, or educators who resigned from the education profession (national or provincial) within a twelve-month period, are excluded from the measures contained in this circular.
5. The conversion of a temporary appointment to a permanent appointment is done at the discretion of the Head of Education.

6. In line with Collective Agreement No. 4 of 2018, the Western Cape Education Department (WCED) adopted the following criteria for the conversion of the appointment status of educators from temporary to permanent in terms of section 6(b) of the EEA:
 - 6.1 The permanent appointment must be made to a vacant substantive Post Level 1 post and the post must reflect on the approved educator staff establishment of the school.
 - 6.2 The educator concerned must, at the time of applying for conversion, have been employed in a temporary capacity for a continuous period of three months.
 - 6.3 The educator must satisfy the following criteria in order to be considered for the conversion of his/her temporary/contract status to permanent:
 - a) be professionally qualified for the education profession;
 - b) be suitably qualified to teach the subject and in the phase in which the conversion appointment will be made;
 - c) meet the inherent requirements of the post in which his or her conversion of appointment will be made; and
 - d) be registered with the South African Council for Educators (SACE).
7. Applications for the conversion of temporary appointments to permanent appointments will only be considered if recommended by the governing body, principal and circuit manager and confirmation is received that there are no excess educators available and a newly qualified educator could not be sourced or recruited.
8. In the event that the governing body does not support the conversion of the educator's appointment status from temporary/contract to permanent, the governing body must submit the educator's application and a written and valid motivation as to why the conversion is not supported.
9. Serving substitute educators may also be considered for permanent appointment, in terms of the measures set out in this circular, if the post becomes vacant whilst substituting in the post and the educator complies with the requirements. Governing bodies and principals are to ensure that the exclusions mentioned in point 4 are applied.
10. The WCED confirms that the conversion process in terms of section 6(b) of the EEA, as stipulated, allows for conversions throughout the academic year.
11. Temporary/contract educators who wish to apply for the conversion of their temporary employment to permanent employment in terms of section 6(b) of the EEA, must submit a completed DPE1 form (Application for appointment form) and a

letter of motivation, **via the governing body**, to the WCED. Applications must be sent to the following address:

Directorate: Recruitment and Selection
Western Cape Education Department
Private Bag X9183
Cape Town
8000

12. This circular is applicable to all public schools.
13. Principals are requested to ensure that this circular is brought to the attention of their governing bodies and educators.

SIGNED: BK SCHREUDER
HEAD: EDUCATION
DATE: 2019-01-05



PERMANENT APPOINTMENT OF POST LEVEL 1 EDUCATORS AT EDUCATION INSTITUTIONS IN ACCORDANCE WITH SECTION 6A OR 6B OF THE EMPLOYMENT OF EDUCATORS ACT, 76 OF 1998

Approval has been granted by the Head of Education to proceed with the permanent appointment of Post Level 1 Educators in accordance with Section 6A/B of the Employment of Educators Act, 76 of 1998 into vacant/substantive posts at education institutions. The approval for permanent appointment is however not automatic as specific criteria need to be complied with before final approval is granted by the Delegated Authority for such permanent appointment.

Mr/Mrs/Miss, **Persal Number**is

currently appointed on contract and fulfils the duties of (Post Description)

.....at (Name of Education Institution)

I,

(Principal) hereby confirm the following:

Educator	
1. Is currently in the employ of the WCED in a vacant/substantive PL1 Educator post	Yes/No
2. Performs the duties of the PL 1 post and meets the minimum appointment requirements	Yes/No
3. Provides satisfactory performance assessment or has performed the duties assigned to him/her satisfactorily during the contract period	Yes/No
4. Is suitably and professionally qualified	Yes/No
Post	
5. The vacant/substantive post is on the staff establishment as per the approved basket of posts in the year of application	Yes/No
6. Does Excess exist at the school	Yes/No

<p>7. Was the Excess List consulted for the Matching and Placing of Excess employees into the post</p> <p>Provide detail on the effort made to match and place and excess educator: </p>	<p>Yes/No</p>
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Please note that the conversion process applies to all New Entrants and serving educators meeting the requirements as stipulated in the relevant circulars (6A and 6B), currently in the employ of the WCED in a vacant/substantive post on the institutions staff establishment.

I,(name of Principal), on the basis of the above recommend/do not recommend the permanent appointment of the incumbent in the substantive post of (Post Description) on the approved establishment of the (name of Institution).

In the event that you do not support the permanent appointment of the PL1 Educator, the school must submit the reason/s in a letter addressed to Director: Recruitment and Selection and attach the completed verification certificate.

SIGNATURE OF PRINCIPAL

DATE:

SIGNATURE OF CHAIRPERSON OF THE SGB

DATE:

SIGNATURE OF DISTRICT DIRECTOR/CM:

DATE: